



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:) Attorney Docket No. 087522785244
Koepke, Marcus C. et al.)
Application No.: 10/077,540)
Filed: February 15, 2002)
For: CHAIR BACK CONSTRUCTION)
Examiner:)
Art Unit: 3636)
Confirmation No.: 3868)

REMARKS

Claims 1-11 are in the application.

Claims 1-11 are rejected under section 103 as being unpatentable over Sexton et al. U.S. 5,752,236, presumably over the article by Debra Pearson entitled *Multiline Clients Are For Life*. (It is noted that in the first sentence of paragraph 3 of the Office Action the Pearson article is not specified as a section 103 reference. However, because Pearson is mentioned later, it is assumed that the rejection is based on Sexton in view of Pearson.)

The Sexton reference concerns only life insurance and discloses creation of a single life policy which thereafter is divided into two or more separate but related life policies with a disproportional allocation of death benefits, premium obligations and cash values. Nowhere in the cited Sexton reference is there any disclosure or even any suggestion that non-life policies be involved in the disproportional allocation method. One major reason is that life insurance offers unique tax savings and estate planning advantages.

The Pearson article discloses the recommendation that insurance agents ought to sell more than one line of insurance product. This concept is labeled as "multiline". In more detail,

the Pearson article discloses that the author, while specializing in life insurance sales, follows up property and casualty contacts with insureds, apparently generated through other agents in her agency and that this gives her an opportunity to make the connection and sell that same customer life insurance products. There is nothing, however, to indicate that Pearson's agency is offering anything but the typical kinds of insurance products which applicants mention in page one of the subject application, namely, different policies covering life, health, disability, major medical, critical illness, long term care, automobile, homeowners, firetheft, personal liability, general liability and the like.

The Pearson article offers a recommendation that agents should have more than one type of insurance product to offer a customer and that life agents would do well to partner with a property and casualty agency because its customers are usually contacted much more often than typical life insurance customers. The Pearson article discloses sales advice, not information about altering the product to be sold. There is nothing in the Pearson article to indicate that different coverages should be put together in a single policy. Hence, even if Sexton and Pearson are combined, the invention in the subject application is not disclosed at all. It is applicants contention moreover that there is nothing in either reference to suggest that they be combined. The contrary is indicated because Sexton deals only with life policies.

Referring to claim 1, the first step in the claim includes the limitation of "collecting data concerning multiple insurance coverages." In the last paragraph of page 3 of the application, multiple insurance coverages are defined as "all consumer oriented insurances, such as life insurance, health insurance, disability insurance, major medical insurance, critical illness insurance, long term care insurance and various property and casualty insurances." There is no teaching in either Sexton or Pearson for one entity to collect all such data. Again, it is

emphasized that the cited Sexton reference concerns itself only with life insurance products because the problem it aims to solve is to offer a substitute for split-dollar insurance which has been effectively regulated out of existence. Claim 1 also includes a limitation in the step of "selecting three or more coverages to form a prototype policy." Neither the cited Sexton reference nor Pearson discloses or suggests putting three or more of the above mentioned coverages into one policy.

Claim 5 also includes similar limitations in which the data processing apparatus includes information concerning at least three insurance coverages (and not policies) where the coverages have been defined in the specification as the group mentioned above and that a policy is formed from at least three or more of these coverages.

Furthermore, it is apparent that the applicants of the present application are the inventors in the Sexton reference. No one but the original inventors have conceived of the present invention even though the Sexton reference issued in 1998 and the knowledge of the various different types of insurance coverages has been around for decades, well before 1991 which is the date of the Pearson article. Had the present invention been "obvious" the inventors would have been included it in their original application or someone else would have recognized the current invention back in 1998.

In view of the above, the Examiner is respectfully requested to reconsider claims 1-11 and indicate allowance.

Dated: September 27, 2003

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joseph H. Golant", is written over a horizontal line.

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